

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Master Brye Balaw Jwatt

Write the full name of each plaintiff.

CV

(Include case number if one has been assigned)

-against-

Officer PACHECO # Officer Bliech
81 Harris #144

COMPLAINT

Do you want a jury trial?

Yes No

2024 FEB 12 PM12:27
SOUTHERN DISTRICT OF NEW YORK
DEFENDANT'S COPY

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

Federal Question

Diversity of Citizenship

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

EXCESSIVE FORCE, FAILURE TO INTERVENE, FALSE ARREST, Malicious Prosecution

B. If you checked Diversity of Citizenship

1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, _____, is a citizen of the State of
(Plaintiff's name)

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of _____

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, _____, is a citizen of the State of
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of _____.

If the defendant is a corporation:

The defendant, _____, is incorporated under the laws of
the State of _____
and has its principal place of business in the State of _____
or is incorporated under the laws of (foreign state) _____
and has its principal place of business in _____.

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

First Name	Middle Initial	Last Name
129 Fulton St.		
Street Address		
County, City	State	Zip Code
Telephone Number	Email Address (if available)	

Master Baye Balawazuh

129 Fulton St.

NY

NY

10038

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:

<u>Officer RACHECO</u>	
First Name	Last Name
<u>NYPD</u>	

Current Job Title (or other identifying information)

DISTRICT 32

Current Work Address (or other address where defendant may be served)

<u>Brooklyn, NY</u>	<u>NY</u>	
County, City	State	Zip Code

Defendant 2:

<u>Officer Blech</u>	
First Name	Last Name
<u>NYPD</u>	

Current Job Title (or other identifying information)

DISTRICT 32

Current Work Address (or other address where defendant may be served)

<u>Brooklyn</u>	<u>NY</u>	
County, City	State	Zip Code

Defendant 3:

<u>2t. Harris #144</u>	
First Name	Last Name
<u>NYPD</u>	

Current Job Title (or other identifying information)

DISTRICT 32

Current Work Address (or other address where defendant may be served)

County, City	State	Zip Code
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Defendant 4:

First Name _____ Last Name _____

Current Job Title (or other identifying information) _____

Current Work Address (or other address where defendant may be served) _____

County, City _____ State _____ Zip Code _____

III. STATEMENT OF CLAIM

Place(s) of occurrence: FLAMBOY AVE. STATION

Date(s) of occurrence: OCT. 10, 2023

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

See ATTACHED Pg. (3)

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

Plaintiff was already suffering from a previous injury. Pacheco and Defendants excessive force caused Plaintiff Great pain and were made worse by their actions.

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

Plaintiff is seeking Seven Millions Dollars for Damages Due to Defendants Unlawful acts.

V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>1.26.24</u>	<u>2.12.24</u>	<u>MASTER Bryce Balah Alah</u>
Dated		Plaintiff's Signature
<u>MASTER</u>	<u>Bryce</u>	<u>Balah</u>
First Name	Middle Initial	Last Name
<u>129 Fulton St.</u>	<u>U2</u>	
Street Address		
<u>NY</u>	<u>NY</u>	<u>10038</u>
County, City	State	Zip Code
<u>NONE</u>		<u>NONE</u>
Telephone Number	Email Address (if available)	

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

Yes No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

On Oct. 10 between the hours of 2 AM - 2:45 A.M. Plaintiff being a Black male
 was at the Flushing Sub Station when he was approached by an Out Reach
 Worker who asked me if the phone that was charging was mine. Plaintiff told
 the worker no, to touch the phone. The worker repeated his question and
 Plaintiff repeated his answer. This seems to anger the worker. He then went
 and got two Lt. that was on the scene along with several other officers
 who are unidentified. At this time, two of these officers were talking and
 Plaintiff told the Lt. that was on the scene that was charging for the
 Black, the Lt. does Plaintiff to own the phone that was charging for the
 outlet. Plaintiff told the Lt. that it was his, the Lt. said that there was no hanging
 out in the station and that it was to get on the next train. Plaintiff told the Lt.
 out in the station and that he was talking with my business what would go.
 2. That as soon as he was finished with my business what would go.
 Plaintiff told the Lt. that he does not sleep or hang out in the station.
 The Lt. then told Plaintiff that because he was charging his phone and had the
 book bag in the Empire State or a Empty Bench that the cops have wrote him
 tickets for both of these things but didn't do it.
 Plaintiff then told the Lt. that he was the only officer who has said anything
 to Plaintiff about the phone charging and the book bag on the bench and
 the Lt. immediately unplugged the phone and removed the book bag.
 The Lt. then said that Plaintiff needs to leave the Flushing Sub
 Station. Plaintiff repeated what he told the Lt. earlier that he would
 leave the station as soon as he finished his business.
 The Lt. then had one of the officers write Plaintiff a P.D.A. for taking up
 more than one space on the empty bench. He and the other officers
 were then surrounding Plaintiff and told Plaintiff what he would have to leave
 the station. Plaintiff told the Defendants that he was not going to notice
 the station. Plaintiff told the Defendants that he had broken no laws and had
 not left the station because Plaintiff had broken no laws and had
 paid his fare to enter the system. All the Defendants then forced Plaintiff
 out of the system. Plaintiff told the Defendants what he was
 to enter the system through another entry point. All these events happened
 on track 3.

Plaintiff wanted to another entrance and tried to gain entry and was not allowed by the Defendants at this turnstile and was not allowed to do Plaintiff's job. The Defendants then told Plaintiff that he would wait them. Defendants then told Plaintiff he should go to another station and Plaintiff refused. It was at this point that the Defendants ordered PACHECO and Blight to arrest Plaintiff and Charlie Plaintiff with the service. This took place at the back entrance of the station.

THE HATBUSH AVE TRAIN STATION.
Plaintiff was taken to District 32. The arresting officers were placed
and Police. The entire incident was recovered by the defendant at the
HATBUSH AVE Station and at District 32. Upon entering District 32
Plaintiff and Blech along with an Asian L. and the other officers placed

~~THEIR CAMERAS ON THE DESK.~~

~~DEB 10 PLAINTIFF'S - INVESTIGATION~~ BEGAN TO ROCK FREELY SIDE TO SIDE HIS
~~BROTHERS TALKED WHO HAD PLAINTIFF STOP ROLLING. PLAINTIFF REPLIED.~~

~~PACIFIED BROTHER WHEN DEB LEFT TO TAKE PLAINTIFF OFF~~ DOWN ON THE
~~CAUSING PAIN~~ LEFT LEG HAS BETWEEN PLAINTIFF AND FLOOR THROUGH
CUFFS. WHEN ONE OR TWO FEET APART PLAINIFF WAS THROWN PLAINIFF TO FLOOR
PLAINTIFF WAS STILL CUFFED AND WAS NOT VIOLENT PACIFIED THREW PLAINTIFF TO FLOOR
GROUND WHEN ONE REAGGED WHAT SHE HAD DONE AND SHE SAWED OFF
BODY "OH, YOU'RE TRYING TO ESCAPE?" AGAIN PLAINTIFF TALKED TO HIM
FOR THE CAMERA "OH, YOU'RE TRYING TO ESCAPE? IT'S IMPOSSIBLE. MY FRACTURED
HIS LEGS AND LOWER BACK MADE LEAVING IT ESCAPE IMPOSSIBLE. MY FRACTURED
TO WALK ON STOOD UP STRAIGHT. ~~THIS IS EVIDENT IN THE VIDEOS OF~~

~~Defendant's Body Corps~~ While On The Ground Plaintiff Asked ARCHCO AND BLECH, WHO WAS APPLYING
~~Pressure To My Spine~~, ~~Causing Plaintiff Pain By Pressing Down On My Back~~
~~After ARCHCO THREW Him To The Floor They Were Finished.~~ BEING THROWN ON THE ~~Ground~~ TO Handcuffs AND THEN HAVING BLECH
PUT HIS WEIGHT ON Plaintiff'S BACK CAUSED Plaintiff PAIN TO INCREASE FORCING
Defendant'S To TAKE Plaintiff To Kings County Hospital.

Plaintiff States that Defendants Actions Violates Plaintiff's Right To Be FREE from Excessive force by MACHO AND BLECHT. Plaintiff States that the Rest of the Defendants Did Not Intervene to Stop the Excessive force that was used by MACHO AND BLECHT. Plaintiff States that the #~~1~~ Lt., MACHO AND BLECHT false Arrested Plaintiff By Charging Plaintiff with a violation of the law that Plaintiff Did Not Commit.

Plaintiff States that once he was brought back to District 32 after leaving Kings County Hospital he was processed for his false arrest. This was when Lt. Harris came out the office and spoke to the arresting officers. He was told by one of them that Plaintiff had refused to leave when they told Plaintiff to and that Plaintiff had refused to accept the D.A. for occupying more than one seat. Then she turns around to accept the D.A. for occupying more than one seat. They then turns around to tell Plaintiff and when states to the arresting officers "On your own words you'll prosecute and when states to the D.A. * for they thorough tells he refused to leave when you tell him and the D.A. * for they thorough tells system. The arresting officers 12133 several times to let the arrest through system. The arresting officers 12133 several times to let the arrest through but every time he went through Captain, Captain told me that they would take a D.A. for the both of service charge. the order for Plaintiff to go through the system on the 11th of Service Lt. Harris #144 has to sign off on it which she did. Has she not been determined to make Plaintiff suffer "Bell Pen Moray" Plaintiff would have been home in an hour. like its malicious persecution. Plaintiff is asking for 10 Million Dollars for damages caused by Defendants Unlawful acts. Plaintiff is also seeking punitive damages for the pain & suffering caused by the Defendants.

